

memorandum

DATE: January 29, 1997

REPLY TO

ATTN OF: Office of Environmental Policy and Assistance (EH-413):Nakata: 6-0801

SUBJECT: **PROCEDURES FOR PARTIAL DELETIONS AT NPL SITES**

TO: Distribution

PURPOSE OF THIS MEMO To provide DOE elements with information on the Environmental Protection Agency (EPA), Office of Emergency and Remedial Response April 30, 1996 directive defining the requirements for *partial deletions* at National Priorities List (NPL) sites.¹ The directive:

- explains 1) EPA's previous policy of deleting releases from the NPL only after evaluation of the entire site and 2) current rationale for partial deletion of sites from the NPL; and,
- describes relevant locational information required for the *Partial Deletion NPL Site Data Collection Form* and *Superfund NPL Assessment Program (SNAP) database*.

**PARTIAL
DELETION
POLICY**

The NPL is a listing of sites pursuant to Section 105 of the Comprehensive Environmental Response, Liability, and Compensation Act (CERCLA) where known or threatened releases of hazardous substances have occurred, and EPA has identified as priorities for further evaluation. In a August 3, 1995 memo, the EPA, Office of Emergency and Remedial Response (OERR) clarified the Agency's NPL listing policy, and emphasized that a CERCLA site encompasses all areas of contamination and is not necessarily limited to or defined by the property boundary. Implications of the NPL listing policy and provisions of 40 CFR Part 300; *Notice of a Policy Change: Partial Deletion Rule* (60 FR 55466; 11/1/95) were discussed in a DOE memorandum of February 23, 1996.²

In the April 30, 1996 directive, EPA has explained that the eventual deletion of an entire site from the NPL does not communicate the successful cleanup of portions of those NPL sites currently taking place. Total site cleanup may take many years, while portions of the site may have been cleaned-up and may be available now for productive use. Further, EPA recognizes that potential investors/developers may be reluctant to undertake economic activity at even a cleaned-up portion of real property that is or continues to be part of a site listed on the NPL. Therefore, EPA will delete portions of a site listed on the NPL and will consider requests to do so.

¹See EPA memorandum dated April 30, 1996, subject: *Procedures for Partial Deletions at NPL Sites* (OERR Directive 9320.2-11).

²See EH-413 memorandum dated February 23, 1996, subject: *Clarification of National Priorities List (NPL) Listing Policy*. [<http://www.eh.doe.gov/oepa>]

The criteria for site deletion are outlined in 40 CFR 300.425 (e). Partial deletions follow the same regulatory criteria and procedures as complete site deletion. The partial deletion process is conducted through the EPA Regional Offices who coordinate with EPA Headquarters. Where DOE is the lead (response) agency for the site, partial deletions should be initiated by the DOE Environmental Restoration Program Manager (ERPM). The procedures described at 40 CFR 300.425 (e) refer to all action being taken by EPA. Under these circumstances, the DOE-ERPM should initiate the partial deletion process with a request to the EPA Regional Office to implement the partial deletion process. The DOE-ERPM should assist the EPA Regional Office in preparing the documentation needed to effect the partial deletion. Also, the DOE-ERPM should ensure that the relevant information is consistent with all the requirements of the applicable Federal Facilities Agreements for the respective site. The EPA Regional Office would then coordinate with EPA Headquarters to implement the information management requirements which are discussed in the EPA partial deletion directive. For example, the EPA Regional Office will be responsible for finalizing the partial deletion data collection form, preparing the draft Notice of Intent to Delete (NOID) and publishing the NOID in the Federal Register.

**DOE
NPL SITE
DATA**

The EPA, OERR maintains relevant locational information in the central Superfund NPL Assessment Program database to ensure that partial deletion information is consistent and accurate. Partial deletion dictate stricter mapping and information tracking requirements relative to complete site deletions. During coordination between the EPA Regional Office and EPA Headquarters and assisted by the DOE-ERPM, the Regional Office must submit a hardcopy and an electronic version of the information included in the *Partial NPL Site Deletion Data Collection Form*. To complete this data collection form, the Regional Office will need:

- site information supporting the decision to delete the specified portion of the site
- electronic locational data

The EPA directive also requests documentation for the partial NPL deletion package. First, the DOE-ERPM should assist the EPA Regional Office with preparation of a map which clearly shows the entire site and that portion to be deleted (including scale). The map should include site coordinates (longitude and latitude) for at least three reference points on the map and landmarks such as roads, water bodies and residential areas. Second, the DOE-ERPM should provide the EPA Regional Office with a DOE point of contact (as appropriate) for the partial deletion decision and the electronic data.

CONTACT

Questions concerning the information presented herein and requests for copies of the April 30, 1996 EPA-OERR directive may be directed to Katherine Nakata of my staff by ...

- calling (202) 586-0801
 - faxing messages to (202) 586-3915
 - communicating electronically, via Internet, to katherine.nakata@eh.doe.gov
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